

# EXHIBIT E



**DOCUMENT REDACTED**



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

CRYSTAL LONG,

\*

Plaintiff,

\*

vs.

\* Case No.:

\* 8:17-CV-1955-GJH

PENDRICK CAPITAL

\*

PARTNERS II, LLC, et al.,

\*

Defendants.

\*

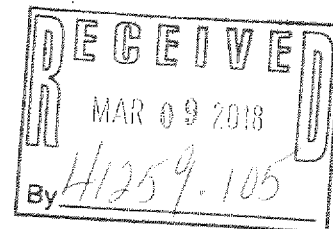
\* \* \* \* \*

The deposition of KIM NANFELDT, Corporate Designee, took place on Thursday, February 22, 2018, beginning at 10:41 a.m., at the Law Offices of Marshall, Dennehey, Warner, Coleman & Goggin, 50 Glenmaura National Boulevard, Moosic, Pennsylvania, before Christine A. Messner, Court Stenographer and Notary Public in and for the State of Pennsylvania.

\* \* \* \* \*

Reported by:

Christine A. Messner





1 APPEARANCES:

2 On behalf of the Plaintiff:

3 INGMAR GOLDSON, ESQUIRE

4 The Goldson Law Office

5 1734 Elton Road, Suite 210

6 Silver Spring, Maryland 20903

7 240-780-8829

8 igoldson@goldsonlawoffice.com

9

10 On behalf of the Defendant Ability Recovery Services:

11 RONALD M. METCHO, ESQUIRE

12 Marshall, Dennehey, Warner, Coleman & Goggin

13 2000 Market Street, Suite 2300

14 Philadelphia, Pennsylvania 19103

15 215-575-2595

16 rmmetcho@mdwcg.com

17

18

19

20

21



1 APPEARANCES (contd.)

2 On behalf of Pendrick Capital Partners:

3 MORGAN MARCUS, ESQUIRE

4 Sessions, Fishman, Nathan and Israel

5 120 S. LaSalle Street, Suite 1960

6 Chicago, Illinois 60603

7 312-578-0985

8 mmarcus@sessions.legal

9 (Via telephone)

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## I N D E X

## DEPOSITION OF KIM NANFELDT

February 22, 2018

## EXAMINATION BY:

## PAGE:

Mr. Goldson .....5  
Mr. Metcho .....32

## EXHIBIT:

## DESCRIPTION:

## PAGE:

3 Verification .....16  
4 Request for production .....24  
5 Interrogatories .....24  
6 Fact sheet .....25  
7 Log .....26  
8 Collection letter .....30  
9 Collection letter .....30  
10 Credit disputes .....35  
11 December 17, 2016 letter .....37  
12 January 31, 2017 letters .....37



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P R O C E E D I N G S

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STIPULATIONS

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It was agreed by and between counsel that all objections, except as to the form of the question, will be reserved until the time of trial.

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It was further agreed that the sealing and filing of the deposition transcript will be waived.

Whereupon --

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KIM NANFELDT was called, and having been duly sworn, was examined and testified as follows:

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EXAMINATION BY MR. GOLDSON:

Q. Hi.

A. Hi.

Q. Kim, can you just state your name and address for the record please.

A. Sure. Kim Nanfeldt; 611 Powell Avenue,



1 Jessup, Pennsylvania 18434.

2 Q. Thank you. My name is Ingmar Goldson.  
3 I represent the plaintiff in the lawsuit against  
4 Ability Recovery Services as you may know. Just a  
5 couple preliminary questions. Have you ever been  
6 deposed before?

7 A. No.

8 Q. Okay. I'm just going to give you a  
9 couple basic rules and Mr. Metcho can follow up with  
10 a few rules if he pleases. First is to make your  
11 responses verbal because the court reporter cannot  
12 pick up body language, head nods or anything of that  
13 nature and try to stay away from answers like uh-uh  
14 and just say yes or no. If you do not understand a  
15 question, please ask me to clarify.

16 MR. METCHO: The only thing I  
17 would add is conversations between you  
18 and I like as we had on the phone are  
19 protected by the attorney/client  
20 privilege. So if Mr. Goldson asks a  
21 question that may trigger a response



1           that includes something you and I  
2           discussed in the past or something I  
3           discussed with your company, you do not  
4           have to provide that response.

5                     If that becomes an issue, I'll  
6           make you aware of it and we can decide  
7           whether or not it's privileged. So just  
8           be aware that that could come up during  
9           the deposition.

10                    THE WITNESS: Okay.

11                    MR. METCHO: Thank you.

12 BY MR. GOLDSON:

13           Q.       All right. Ms. Nanfeldt, first a  
14           little educational background. What's the highest  
15           level of education that --

16           A.       Associate's.

17           Q.       Associate's. Where did you get your  
18           Associate's?

19           A.       Penn State.

20           Q.       Do you currently work at Ability  
21           Recovery Services?



1 A. I do.

2 Q. How long have you worked there?

3 A. Eleven years.

4 Q. What is your current -- are you on  
5 salary or are you paid hourly?

6 A. No.

7 Q. You are paid hourly?

8 A. And a commission, hourly plus  
9 commission.

10 Q. Okay. Can you tell me what your pay  
11 structure is? How much do you get hourly?

12 A. Thirteen.

13 Q. And what's your commission rate?

14 A. It varies. It varies based on the  
15 collections. My annual is about \$70,000 a year.

16 Q. Okay. What's your current position at  
17 Ability Recovery Services?

18 A. I'm the collection manager.

19 Q. What are your duties as a collection  
20 manager?

21 A. I am in charge of the strategy to bring



1 the revenue in. I place the accounts in the system.  
2 I do a little bit of IT work. I work with the  
3 collection staff. I work with clients, a little bit  
4 of everything.

5 Q. How many people, how many employees  
6 does Ability Recovery Service have in its collection  
7 staff?

8 A. About 30.

9 Q. How many employees as a whole does  
10 Ability Recovery Services have?

11 A. About 37.

12 Q. So other than the 30 collectors, who  
13 are the other employees and what do they do?

14 A. It would be clerical, they would be  
15 client liaison, they would be processing,  
16 administration; those types of positions.

17 Q. How many employees at Ability Recovery  
18 Services would have worked on the alleged debt of the  
19 plaintiff in this matter Crystal Long?

20 A. Four.

21 Q. Can you tell me their names?



1           A.       I'm taking it -- I can't. I'm taking  
2       an educated guess there.

3           Q.       Okay. But you can't say who those four  
4       employees were?

5           A.       Other than Mark.

6           Q.       Okay. What -- do you know their titles  
7       then, who those -- the four titles?

8           A.       It would be our clerical staff.

9           Q.       When you say clerical, what does that  
10      mean?

11          A.       Their duties would be to handle  
12      e-OSCARs, you know, the disputes, you know, those  
13      functions, you know, outside of the collection staff,  
14      requesting backup; those types of functions.

15          Q.       Who does any sort of work with e-OSCAR  
16      at Ability Recovery Services?

17          A.       Currently? There was probably a change  
18      since this matter to, you know, today.

19          Q.       Yeah. Last year.

20          A.       Shannon Saxon Price, Kathleen Turner.  
21      I'd say those would be our two main ones.



1 Q. How are Shannon and Kathleen or how  
2 were Shannon and Kathleen trained?

3 A. They would be trained by the compliance  
4 officer.

5 Q. Who is that?

6 A. That's Audrey Conflitti.

7 Q. Was Ms. Conflitti involved in Crystal  
8 Long's disputes?

9 A. No.

10 Q. Only Shannon and/or Kathleen were?

11 A. Yes.

12 Q. Did Shannon and Kathleen -- let me,  
13 sorry.

14 A. That's okay.

15 Q. Let me ask about them separately. Did  
16 Shannon get training specifically on the FCRA?

17 A. I don't know.

18 Q. The Fair Credit Reporting Act. Did  
19 Audrey get training specifically on the FCRA?

20 A. Yes.

21 Q. Who trained Audrey?



1           A.       Audrey would have trained Audrey.  
2       Audrey is our compliance officer. So Audrey would go  
3       out and she would, you know, seek the knowledge and  
4       pass it along.

5           Q.       How long has Audrey been with Ability  
6       Recovery Services?

7           A.       Since its inception, 2005.

8           Q.       Who are the owners of the Ability  
9       Recovery Services?

10          A.       Michael Conflitti.

11          Q.       What's his relationship to Audrey?

12          A.       Audrey is his daughter-in-law.

13          Q.       Okay. Does the collection staff at  
14       Ability Recovery Services receive training on the  
15       Fair Credit Reporting Act?

16          A.       Yes.

17          Q.       Do they receive training materials?

18          A.       Yes.

19          Q.       When do they receive that training?

20          A.       When they first start employment. It's  
21       all included in a binder that they keep at their



1 desk.

2 Q. Were -- now, I'm going to show you the  
3 responses to the requests for production of documents  
4 in this matter. Do you recognize that document?

5 A. Yes, I would say I do.

6 Q. Did you organize the materials to turn  
7 over to the plaintiff and respond to that document?

8 A. I would say that would have been  
9 Audrey.

10 Q. So -- okay. So Audrey responded to the  
11 request for production of documents?

12 A. Yes.

13 Q. Who conducts the Fair Credit Reporting  
14 Act training for the collection staff?

15 A. Jeremy, my supervisor Jeremy Mills.

16 Q. Was Jeremy involved with any of the  
17 collection disputes for Crystal Long?

18 A. No.

19 Q. How often does Ability Recovery  
20 Services find that it's attempting to collect a debt  
21 from the wrong person?



1 A. I don't know.

2 MR. METCHO: I'm going to object  
3 to the form of the question, but you can  
4 answer if you are able.

5 THE WITNESS: I don't know the  
6 answer to that.

7 BY MR. GOLDSON:

8 Q. But it does happen?

9 A. Occasionally.

10 Q. Do you have any idea of what the error  
11 rate is?

12 A. I don't.

13 Q. As a debt -- as a collection agency,  
14 how much does Ability Recovery Services collect on an  
15 annual basis?

16 A. I don't know.

17 Q. Can you estimate?

18 A. I don't know the answer to that. I  
19 would -- that's not part of what I do there.

20 Q. Okay. Is Ability Recovery Services  
21 indemnifying Pendrick in this matter?



1 A. I believe so.

2 Q. How many accounts does Ability Recovery  
3 Services collect on Pendrick's behalf?

4 A. About 500,000. Now, they are not all  
5 collected, that's what we have in our system.

6 Q. About 500,000 different accounts?

7 A. Mm-mm.

8 Q. Does Ability Recovery Services carry  
9 liability insurance?

10 A. Yes.

11 Q. Is Pendrick named in that liability  
12 insurance?

13 A. I believe so, but I don't work with  
14 those types of documents.

15 Q. I'm going to show you this document.  
16 That is a verification sent to the plaintiff by your  
17 employer Ability Recovery Services. Is that your  
18 signature?

19 A. Yes.

20 MR. GOLDSON: I would like to mark  
21 this as the next exhibit.



1 (Whereupon Exhibit 3 was marked  
2 for identification.)

3 BY MR. GOLDSON:

4 Q. The next document that I'm going to  
5 show you is the response to the interrogatories. Ms.  
6 Nanfeldt, is it true that with the verification that  
7 I just showed you that you verified all the responses  
8 to those interrogatories are true?

9 A. Yes.

10 Q. Is that your testimony today?

11 A. Yes.

12 Q. I'd like to direct your attention to  
13 interrogatory number ten, if you could just read  
14 that?

15 MR. METCHO: That was it. You can  
16 flip it.

17 BY MR. GOLDSON:

18 Q. You can read the question, the  
19 interrogatory out for the record.

20 A. Right here?

21 Q. Yes.



1           A.       In light of the allegations in the  
2       complaint, please identify each incident where you  
3       erroneously verified credit information relating to  
4       plaintiff which should have not have been verified.

5           Q.       Okay. You can read the response to  
6       interrogatory number ten, you can read it out for the  
7       record or to yourself.

8           A.       ARS objects to this interrogatory on  
9       the grounds that it is confusing, vague, overbroad  
10      and not calculated to lead to the discovery of  
11      admissible evidence. Subject to and without  
12      having -- without waiving these objections, ARS  
13      responds that it does not have any information that  
14      is or may be responsive to this interrogatory as it  
15      did not erroneously verify credit information related  
16      to plaintiff which allegedly should not have been  
17      verified.

18          Q.       Do you stand by that answer today?

19          A.       Yeah.

20          Q.       Do you still maintain that the  
21      plaintiff Crystal Long owes a debt to Ability



1 Recovery Services or Pendrick?

2 A. I don't think we actually know the  
3 answer to that. I don't know.

4 Q. When Ability Recovery Services first  
5 received the account from Pendrick, at that point did  
6 Ability Recovery Services deem that the plaintiff  
7 Crystal Long owed that money to Ability and Pendrick?

8 MR. METCHO: I'm going to object  
9 to the form of the question. If you  
10 understand it, you can answer.

11 THE WITNESS: I don't think we  
12 really know who owes what until we get  
13 to situations a little bit farther down  
14 the road. If someone tells us they  
15 don't owe it, you know, then we take a  
16 look at the information that we have on  
17 file and take it from there. So to say  
18 whether she owed it or not when it first  
19 came to our office, I don't know the  
20 answer to that.

21 BY MR. GOLDSON:



1 Q. Okay. Thank you. In your response you  
2 just said take it from there, what -- can you  
3 describe that process?

4 A. Sure. In the case Crystal Long she  
5 called in from a letter, she was disputing it. We  
6 put it in a disputed status and reported it to the  
7 bureaus as disputed. She didn't get any more phone  
8 calls. She didn't get any additional letters.

9 At that point, you know, she didn't  
10 provide any additional information to us to state  
11 that it wasn't her, so we left it in a disputed  
12 status. You know we get the e-OSCARs over with no  
13 additional information, so we verified what we had on  
14 the system which was unknown.

15 Q. When you said verified as unknown, can  
16 you explain what you mean by that?

17 A. Sure. When an e-OSCAR comes over and  
18 they're saying, you know, this isn't my debt, we take  
19 a look at the information that came over with the  
20 file and that was loaded in our system. In Crystal's  
21 case that information was unknown.



1                   We didn't have a Social, we didn't have  
2     a date of birth and that's what we reported back to  
3     over to the bureaus is that information to identify  
4     her as either being responsible or not responsible  
5     for the debt was unknown.

6                   Q.       Is it your testimony that Ability  
7     Recovery Services did not respond to the disputes  
8     that the reported information was accurate?

9                   A.       We reported it as unknown, that was  
10    accurate.

11                  Q.       What was accurate?

12                  A.       That the information was unknown was  
13    our accurate response. We did not know that  
14    information.

15                  Q.       So did Ability respond that the  
16    information was accurate?

17                  A.       We responded that it was unknown.

18                  Q.       Okay. All right. I'm going to show  
19    you a document that was turned over for requests for  
20    production in this case. Do you recognize that  
21    document?



1 A. I do.

2 Q. What is it?

3 A. That's our activity history from  
4 Crystal Long's account.

5 Q. Okay. And was that document created in  
6 the regular course of business for Ability Recovery  
7 Services?

8 A. Yes.

9 Q. Okay. Sorry.

10 A. That's okay.

11 Q. I have one copy so let me take a quick  
12 look. I'm going to ask you a few questions about  
13 that document --

14 A. Sure.

15 Q. -- that doesn't seem clear at this  
16 point. Here it says broken promise work was A51.  
17 Can you explain what that means?

18 A. That just means that this in our world  
19 is an open queue. Based on what happens with the  
20 account, the accounts are rearranged in priority. So  
21 this was something that right here, okay?



1 Q. Yeah.

2 A. Rolled out to an A51 queue. So it's  
3 just an open queue is all that is. It just means  
4 that no collector has ownership of that account and  
5 wants to continue to work it.

6 Q. Okay. Here at May 24 it says e-OSCAR  
7 verified, image added and e-OSCAR verified. What is  
8 your understanding of what that means?

9 A. That means that the e-OSCAR dispute came  
10 in and they took a look at it, they reviewed the Debt  
11 Master and they verified the information that we had  
12 on file.

13 Q. Were there any other steps taken?

14 A. Other than viewing the account?

15 Q. Yeah.

16 A. I don't believe so.

17 Q. Sorry.

18 A. That's okay.

19 Q. Just for the record right here where it  
20 says gave copy to Audrey, is that Audrey Conflitti?

21 A. Yes. Complaint received, added to



1 docket, yeah. So that would have been the complaint  
2 that was received on that day, yeah.

3 Q. Okay. Thank you. I see a list of  
4 phone numbers here and then it says CBC skip four  
5 times. What is CBC skip?

6 A. CBC skip, CBC Innovis is a company that  
7 we use to batch our accounts out to retrieve the best  
8 location information possible, meaning phone numbers  
9 and addresses. So we'll take the information that we  
10 have from our client, the way the file came over and  
11 we'll create a file and send it out for a batch. CBC  
12 will return information, what they consider to be  
13 their best information so that we can reach out and  
14 locate the consumer.

15 Q. Okay. So that would be you're  
16 describing Ability Recovery Services' skip tracer?

17 A. Yes.

18 Q. Does Ability Recovery Services use any  
19 other skip tracers?

20 A. No.

21 Q. In your response -- I'm sorry. In your



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1 response to the interrogatories here, the first  
2 interrogatory requests information for anyone who  
3 knows any facts alleged in, any information, any  
4 facts alleged in the complaint. We didn't receive  
5 anything about any skip tracers, do you know why?

6 A. Was the question asked? I don't know.

7 MR. METCHO: I'm going to object  
8 to the question on the grounds that it  
9 may seek information that is protected  
10 by the attorney/client privilege, but  
11 you can answer if you are able.

12 THE WITNESS: I don't know why it  
13 wouldn't have been included. I don't  
14 know the answer to that.

15 MR. GOLDSON: Okay. That's fine.  
16 I would like to mark this as Exhibit 4.

17 (Whereupon Exhibits 4 and 5 were  
18 marked for identification.)

19 BY MR. GOLDSON:

20 Q. All right. The next document that I'm  
21 going to show you is a document that I believe we



1 received from Pendrick in this matter.

2 MR. METCHO: For the record, as  
3 counsel for Ability, I do not recognize  
4 this document, but I will allow Ms.  
5 Nanfeldt to view it for purposes of  
6 engaging in this deposition.

7 THE WITNESS: I don't recognize  
8 this either.

9 (Whereupon Exhibit 6 was marked  
10 for identification.)

11 BY MR. GOLDSON:

12 Q. Okay. The next document I'm going to  
13 show you is a document I received from your employer  
14 Ability Recovery Services. Do you recognize that  
15 document?

16 A. No.

17 Q. Do you know what this document states,  
18 the information in this document?

19 A. No.

20 MR. GOLDSON: We'll mark this as  
21 the next exhibit.



1 (Whereupon Exhibit 7 was marked  
2 for identification.)

3 BY MR. GOLDSON:

4 Q. Is it Ability Recovery Services'  
5 position that the plaintiff Crystal Long owes Ability  
6 Recovery Services or Pendrick money from a medical  
7 debt?

8 A. I don't think we know at this point.

9 Q. I'm going to show you two collection  
10 letters sent by Ability Recovery Services sent to us  
11 by your employer in response to a production of  
12 documents. Do you recognize those documents?

13 A. Yes.

14 Q. The first document, can you tell me  
15 what that document is?

16 A. That's a collection letter.

17 Q. What's the balance on that letter?

18 A. 55.50 after the discount.

19 Q. Okay. After the dispute phone call  
20 when Crystal Long called, this account did not show  
21 up on her credit report. Do you know why that is?



1 MR. METCHO: I'm going to object  
2 to the question on the grounds of form  
3 and seeks speculation, speculative  
4 information. But, Kim, you can answer  
5 if you're able.

6 THE WITNESS: I don't recall when  
7 it showed up on her credit report.

8 BY MR. GOLDSON:

9 Q. Okay. And the second document --

10 A. Right.

11 Q. -- can you describe that document?

12 A. Well, it looks like it's the same  
13 letter just a different account, discount letter  
14 validation.

15 Q. What's the balance on the account?

16 A. 843.75.

17 Q. Do you know why this account appeared  
18 on Crystal Long's credit report while this account --  
19 I'm sorry. For the record, why the account with the  
20 total balance where it says your balance is \$1,125,  
21 why that \$1,125 account showed up on the credit



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1 report and the \$74 account did not show up on her  
2 credit report?

3 A. I can tell you that credit reporting is  
4 part of our collection software. Okay. That  
5 information is built in. Okay. It goes out to each  
6 account and it creates the file based on the  
7 information that comes over in the file from our  
8 clients. That information is gathered and it's  
9 uploaded to each of the major bureaus. The bureaus  
10 then take the information that we've provided and  
11 they find the best fit for it.

12 So we're uploading the information that  
13 we have in the system. I believe there was probably  
14 a little bit more information maybe on one of the  
15 accounts than the other, but you know that's how the  
16 credit reporting process would work. We upload the  
17 information that we have in our system. The credit  
18 bureaus decide the best fit.

19 Q. So is it your testimony that this \$74  
20 account was reported in the same fashion as the  
21 \$1,125 account to the credit reporting agencies?



1           A.       Whatever information that would have  
2       been in each respective account would have been  
3       uploaded to the bureau.

4           Q.       Okay. So the difference in reporting,  
5       your testimony is that it's because of the credit  
6       reporting agencies, not Ability?

7           A.       There's different information in each  
8       account. So the bureaus would have looked at each  
9       one individually and made the best bet.

10          Q.       Okay. Does Ability Recovery Services  
11       generate these documents, these two collection  
12       letters?

13          A.       We send a file over to our letter  
14       company and they would generate them.

15          Q.       Okay. Does Ability Recovery Services  
16       generate those documents through the regular course  
17       of its business?

18          A.       Yes.

19          Q.       Okay. Thank you.

20                   MR. GOLDSON: I'd like to mark  
21       these exhibits separately please.



1 (Whereupon Exhibits 8 and 9 were  
2 marked for identification.)

3 BY MR. GOLDSON:

4 Q. When Ability Recovery Services received  
5 credit disputes from the credit reporting agencies  
6 about the plaintiff's account, was Ability Recovery  
7 Services' response consistent with its credit  
8 reporting reinvestigation policies and procedures?

9 A. Yes.

10 Q. Did Ability Recovery Services  
11 communicate with Pendrick about this account after it  
12 received the disputes?

13 A. No.

14 Q. When did Ability first report  
15 information about the plaintiff to the credit  
16 reporting agencies?

17 A. I don't know the exact day, but it  
18 would have been more than 30 days from the placement  
19 date.

20 Q. That's the policy --

21 A. Yes.



1 Q. -- more than 30 days? When you say  
2 more than 30 days, is that because Ability Recovery  
3 Services sends out the information on the same day of  
4 each month?

5 A. No. It's -- that's what the law  
6 requires. The law requires that there's a validation  
7 period of 30 days. So whatever that next credit  
8 reporting cycle would fall after that 30-day period  
9 is when the account would go over.

10 Q. Thank you. All right. When Ability  
11 reports an account or credit reporting agency, is  
12 Ability telling the credit reporting agency that the  
13 consumer owes that debt?

14 MR. METCHO: I'm going to object  
15 to the form of the question, but you can  
16 answer it if you are able.

17 THE WITNESS: I mean basically we  
18 are saying this is the information  
19 that's been provided to us and we send  
20 that information over. And based on the  
21 information that's in that file, the



1 credit bureau makes the decision if  
2 there's enough information to place it  
3 on the record.

4 BY MR. GOLDSON:

5 Q. Does Ability ever make a determination  
6 as to whether or not any of the consumers that it  
7 pursues for debt actually owe that debt?

8 A. I don't understand your question.

9 Q. Does Ability ever make, ever come to  
10 the conclusion through its collection process that a  
11 collector, sorry, that a consumer actually owes the  
12 debt that Ability Recovery Services purports that  
13 that consumer owes?

14 A. That comes from our partnership with  
15 our clients and the ability, you know, to -- we  
16 partner with, you know, clients that are credible and  
17 that you know these people, you know, do all the  
18 debts and they can provide the backup that says that  
19 they do.

20 Q. In this case with the plaintiff Crystal  
21 Long, Pendrick your partner sent placement data for a



1 Crystal Long that lived in Baltimore. Ability sent a  
2 letter to the plaintiff and that letter went to  
3 Bowie, Maryland. So where did Ability get the Bowie,  
4 Maryland address?

5 A. CBC Innovis.

6 Q. I'm showing you here the credit  
7 disputes for ACDVs, there's four of them there and  
8 those are the documents that Ability Recovery  
9 Services sent the plaintiff in response to the  
10 request for the production of documents. Do you  
11 recognize that document?

12 A. I don't work hands on with these, but I  
13 do know that it's an e-OSCAR.

14 Q. Okay. Do you know how these documents  
15 are generated?

16 A. They come to us, the girls log in  
17 online and pull the information down that way from  
18 like a queue.

19 Q. How does Ability Recovery Services  
20 receive this document?

21 A. Other than the girls logging in online



1 and getting the information through, you know, their  
2 website, I don't know.

3 Q. When you say the girls log in online,  
4 are you talking about into the e-OSCAR system?

5 A. Yes.

6 Q. Okay. Thanks. Can you just turn to  
7 the second page. Can you read that last sentence  
8 there for the record.

9 A. Down here?

10 Q. Yes.

11 A. By submitting this ACDV you certify  
12 that you have received and considered all associated  
13 images, you have verified the accuracy of the data in  
14 compliance with its legal requirements and your  
15 computer and/or manual records will be adjusted to  
16 reflect any changes noted.

17 Q. Okay. Just for the record where it  
18 says reviewed, I believe you said received.

19 A. Sorry. My eyes aren't what they used  
20 to be.

21 Q. All right. So what's your



1 understanding of that statement?

2 A. That we have reviewed the account and  
3 the information that we are reporting over is  
4 correct.

5 Q. Okay.

6 MR. GOLDSON: I would like to go  
7 ahead and mark the exhibit.

8 (Whereupon Exhibit 10 was marked  
9 for identification.)

10 BY MR. GOLDSON:

11 Q. Ms. Nanfeldt, is it your understanding  
12 when you respond -- when you responded, I'm sorry,  
13 when ARS, Ability Recovery Services, responded to  
14 those disputes, is it your understanding that that  
15 response was confirming the reporting as accurate?

16 A. I think it was doing neither. It was  
17 saying this is the information that we have.

18 Q. Okay.

19 A. Or just saying that the information we  
20 sent over was correct.

21 Q. The information that you were sending



1 is correct, it's your understanding of the  
2 verification of those disputes?

3 A. I'm saying the information as her name,  
4 her address, the information that we have on file  
5 that went over in that string to the credit bureaus  
6 was correct.

7 Q. Okay. Did Ability Recovery Services  
8 confirm the debt as accurate with the first ACDV?

9 A. I don't know.

10 Q. Did Ability Recovery Services confirm  
11 that the debt is accurate for the second and third  
12 disputes?

13 A. I'm not that familiar enough with them  
14 to answer that.

15 Q. What is e-OSCAR?

16 A. e-OSCAR is the online disputing site.  
17 Consumers go there, they put their dispute in, it  
18 comes to us and we answer it.

19 Q. Next I'm showing you the consumer, the  
20 plaintiff in this matter Crystal Long's dispute,  
21 first dispute letter. Do you recognize that



1 document?

2 A. No.

3 MR. GOLDSON: I'll mark that as  
4 the next exhibit.

5 (Whereupon Exhibits 11 was marked  
6 for identification.)

7 BY MR. GOLDSON:

8 Q. I'm showing you three disputes sent by  
9 the plaintiff Crystal Long sent to the credit  
10 reporting agencies. Do you recognize any of those  
11 documents?

12 A. No.

13 Q. Okay. Thanks.

14 MR. GOLDSON: I would like to mark  
15 those as one exhibit.

16 (Whereupon Exhibit 12 was marked  
17 for identification.)

18 BY MR. GOLDSON:

19 Q. Ms. Nanfeldt, who at Ability uses  
20 e-OSCAR?

21 A. Shannon Price, Kathleen Turner. At



1 that time that would be those two.

2 Q. Okay. Who trained Shannon Price and  
3 Kathleen Turner on the use of e-OSCAR?

4 A. Audrey Conflitti.

5 Q. Do you know if Audrey Conflitti used  
6 any computer programs or training materials when they  
7 trained?

8 A. I don't.

9 Q. Does Ability Recovery Services record  
10 the phone calls that it makes and that it receives  
11 from consumers?

12 A. Yes.

13 Q. Who receives those phone calls at  
14 Ability Recovery Services?

15 A. They go into our recording drive.

16 Q. Okay. Which employees receive the  
17 calls? When a call comes in to Ability Recovery  
18 Services from a consumer that receives a letter,  
19 which employees field those calls?

20 A. All of them.

21 Q. Okay. All the collection employees?



1 A. All of the collection staff, yes.

2 Q. Thirty of them, right?

3 A. Yes.

4 Q. Do any members of the collection staff  
5 have the ability to stop recording?

6 A. No.

7 Q. Does anybody at Ability have the  
8 ability to edit the calls after --

9 A. No.

10 Q. -- they are recorded? That's all I  
11 have.

12 MR. METCHO: I do have some  
13 follow-up questions. Do you mind if we  
14 take a five to ten-minute break?

15 MR. GOLDSON: That's fine.

16 (Whereupon a recess took place.)

17

18 EXAMINATION

19 BY MR. METCHO:

20 Q. So, Kim, again what is -- in November  
21 of 2016, what was your position with Ability?



1 A. Collection manager.

2 Q. Okay. And when did you first become  
3 aware of Crystal Long's account with Pendrick?

4 A. I would say when the lawsuit came.

5 Q. Okay. Were you involved at all with  
6 the specific collection of the account?

7 A. No.

8 Q. We did take a look at these account  
9 notes earlier, correct --

10 A. Yes.

11 Q. -- which was marked as Exhibit 2?

12 A. Yes.

13 Q. You were not involved in the collection  
14 of this particular account, however you are familiar  
15 with the collection notes and what they report;  
16 correct?

17 A. Yes.

18 Q. Okay. In these notes can you tell me,  
19 we're looking at the debtor activity history, when  
20 was the initial collection letter sent to Ms. Long?

21 A. November 12, 2016.



1 Q. Okay. And was there any response to  
2 that letter received in writing?

3 A. Not that I'm aware of.

4 Q. Okay. When did Ability receive the  
5 call from Ms. Long?

6 A. November 22, '16.

7 Q. Okay. And the entry after the November  
8 22 entry, what does that reflect?

9 A. The e-OSCAR dispute.

10 Q. Okay. And what does that mean?

11 A. That means that she went and -- she  
12 went to the credit bureaus, the ones online and  
13 disputed it.

14 Q. Okay. And going back to the November  
15 22, '16 entry, can you just read what the entry  
16 means, what it says, excuse me?

17 A. Sure. That's taking an account from a  
18 new status to a disputed status.

19 Q. And why would that occur?

20 A. That would occur because she spoke to  
21 someone and she relayed that information to us.



1 Q. Okay. Look at this debtor activity  
2 history which you are familiar with. Did Ability  
3 place any calls to Ms. Long?

4 A. No.

5 Q. Okay. Other than the November 22, 2016  
6 entry, did Ability receive any other calls from Ms.  
7 Long?

8 A. No.

9 Q. Okay. When did Ability cease  
10 collection activity on the account?

11 A. November 22, 2016.

12 Q. What I'm going to show you now are a  
13 few letters that were presented to you. It looks  
14 like Exhibit 11, 12 and then 13 and 14. We should  
15 mark these. No, excuse me, 11 and 12 was the three  
16 documents.

17 Looking at these letters, who are they  
18 addressed to?

19 A. Sir or madam.

20 Q. On the actual mailing address.

21 A. Equifax.



1 Q. Okay. And that's on Exhibit 11. If  
2 you can take a look at Exhibit 12 the first document,  
3 who is that addressed to?

4 A. Experian.

5 Q. The second document?

6 A. Equifax.

7 Q. And the third?

8 A. TransUnion.

9 Q. Okay. Taking a look at these  
10 documents, was Ability Recovery Services cc'd or  
11 copied on any of these letters that were sent to the  
12 credit bureaus?

13 A. It doesn't appear to so.

14 Q. Was Pendrick?

15 A. I don't think so.

16 Q. It's a yes or no question.

17 A. No.

18 Q. Okay. Were any other entities other  
19 than the specific credit bureaus?

20 A. No.

21 Q. Okay. In your opinion looking at



1 debtor history, the documents we've gone through  
2 during this deposition, did Ability correctly report  
3 all trade line information that was obtained and  
4 received from the credit bureaus?

5 A. Yes.

6 Q. Okay. Do you have any reason to  
7 believe that any of the information that was reported  
8 by Ability to the credit bureaus was inaccurate?

9 A. No.

10 Q. Do you have any reason to believe that  
11 any of the information regarding the disputes that  
12 was exchanged between the credit bureaus and Ability  
13 was untimely?

14 A. No.

15 Q. Do you believe that the policies and  
16 procedures that are in place regarding Ability's  
17 disputes and their process are compliant with the  
18 FCRA?

19 A. Yes.

20 Q. I have nothing further.

21 MR. GOLDSON: And just to clarify



1           because I don't believe I mentioned this  
2           at the beginning, Ms. Nanfeldt, you are  
3           testifying as the corporate designee of  
4           Ability Recovery Services today,  
5           correct?

6                       THE WITNESS:   Yes.

7                       MR. GOLDSON:   That's it.  Nothing  
8           further.

9                       MR. METCHO:   Morgan, do you have  
10          anything?

11                      MR. MARCUS:   I don't have anything  
12          at this time.  But, Ron, give me a call  
13          later if you have time to speak.

14                      (Whereupon the deposition was  
15                      concluded at 11:59 a.m.)

16

17

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## 1 C E R T I F I C A T E

2

3 I, Christine Messner, a Notary Public in and  
4 for Wyoming County, Pennsylvania, do hereby certify  
5 that the deposition was reported in machine  
6 shorthand by me, that the said witness was duly  
7 sworn/affirmed by me, that the transcript was  
8 prepared by me or under my supervision and  
9 constitutes a complete and accurate record of same.

10

11 I further certify that I am not an attorney  
12 or counsel of any parties, nor a relative or  
13 employee of any attorney or counsel connected with  
14 the action, nor financially interested in the  
15 action.

16

17

18

19

---

Christine Messner

20

21



1 AL BETZ & ASSOCIATES, INC.  
2 Administrative Offices  
3 P.O. Box 665  
4 Westminster, Maryland 21158  
5 VOICE - (410)752-1733 FAX - (410)875-2857  
6 E-mail- productiondept@albetzreporting.com  
7 www.albetzreporting.com  
8

9 DATE: March 8, 2018

10 JOB NUMBER: 180222key\_(1)nanfeldt\_kim

11 CASE CAPTION: Crystal Long v. Pendrick Capital

12 COURT: US District Court, District of Maryland

13 CASE NUMBER: 8:17-CV-1955-GJH

14 DEPONENT: Kim Nanfeldt

15 DATE OF DEPOSITION: February 22, 2018

16 ATTORNEYS/FIRMS:

17 Ingmar Goldson, Esq. / The Goldson Law Office

18 Ronald M. Metcho, Esq. / Marshall Dennehey  
19  
20  
21



1 Dear Sir or Madam:

2

3 Bound herewith is the transcript of the  
4 above-referenced deposition. Please read the  
5 transcript and sign the errata pages. Any  
6 additions or corrections should be listed on the  
7 errata sheets provided. Please remove the signed  
8 completed errata sheets, and return them to the  
9 address listed above for processing.

10

11 If this process has not been completed  
12 within (30) thirty days from the date of this  
13 letter, we will assume that the right to read the  
14 deposition has been waived. This is in accordance  
15 with Rule 30(e) of the Federal Rules of Civil  
16 Procedure and Rule 2-415 of the Maryland Rules of  
17 Procedure.

18

19

20

21



1                                   READING & SIGNING PROCEDURE

2

3                   The Deposition of Mark Carlson, taken in  
4   the matter, on the date, and at the time and place  
5   set out on the title page hereof.

6                   It was requested that the deposition be  
7   taken by the reporter and that same be reduced to  
8   typewritten form.

9                   It was agreed by and between counsel and  
10   the parties that the Deponent will read and sign  
11   the transcript of said deposition.

12

13

14

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21



## 1 DEPOSITION ERRATA SHEET

2 RE: Al Betz &amp; Associates, Inc.

3 FILE NO.: 180222key\_(1)nanfeldt\_kim

4 CASE CAPTION: Crystal Long v. Pendrick Capital

5 DEPONENT: Kim Nanfeldt

6 DEPOSITION DATE: February 22, 2018

7 I have read the entire transcript of my  
8 Deposition taken in the captioned matter or the  
9 same has been read to me. I request that the  
10 changes noted on the following errata sheet be  
11 entered upon the record for the reasons indicated.  
12 I have signed my name to the Errata Sheet and  
13 authorize you to attach it to the original  
14 transcript.

15	PAGE/LINE	CHANGE	REASON
16	_____	_____	_____
17	_____	_____	_____
18	_____	_____	_____
19	_____	_____	_____

20 SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

21 Kim Nanfeldt



Kim Nanfeldt  
2/22/2018

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19			
20	SIGNATURE:		DATE:
21		Kim Nanfeldt	



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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

CRYSTAL LONG,

Plaintiff,

V.

PENDRICK CAPITAL PARTNERS II,  
LLC,

ABILITY RECOVERY SERVICES,  
LLC,

EXPERIAN INFORMATION  
SOLUTIONS, INC.,

AND

EQUIFAX INFORMATION SERVICES,  
LLC,

Defendants.

Civil Action No.

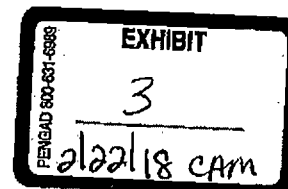
8:17-cv-01955-GJH

VERIFICATION

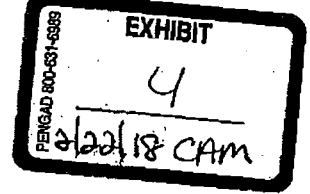
I, Kim Nanfeldt, an authorized representative of Defendant, Ability Recovery Services, LLC, verify that the facts set forth in Ability Recovery Services, LLC's Second Supplemental Answers and Objections to Plaintiff, Crystal Long's First Interrogatories are true to the best of my knowledge, information and belief.

  
KIM NANFELDT

Date: 2-12-18







IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

CRYSTAL LONG,

Plaintiff,

V.

PENDRICK CAPITAL PARTNERS II,  
LLC,

ABILITY RECOVERY SERVICES,  
LLC,

EXPERIAN INFORMATION  
SOLUTIONS, INC.,

AND

EQUIFAX INFORMATION SERVICES,  
LLC,

Defendants.

Civil Action No.

8:17-cv-01955-GJH

**DEFENDANT, ABILITY RECOVERY SERVICES, LLC'S SECOND SUPPLEMENTAL  
RESPONSES AND OBJECTIONS TO PLAINTIFF, CRYSTAL LONG'S FIRST  
REQUEST FOR PRODUCTION OF DOCUMENTS AND OTHER TANGIBLE THINGS**

Defendant, Ability Recovery Services, LLC ("ARS"), by and through its attorneys, Marshall Dennehey Warner Coleman & Goggin, P.C., hereby submits the following Second Supplemental Responses and Objections to Plaintiff, Crystal Long's ("Plaintiff") First Request for Production of Documents and Other Tangible Things directed to ARS, stating as follows:

**PRELIMINARY STATEMENT**

As to each and every request contained in Plaintiff's Request for Production, ARS states the following:



1. These responses are made pursuant to the Federal Rules of Civil Procedure and are based upon information presently known by ARS. It is anticipated that further discovery, investigation, legal research and analysis will supply additional factual conclusions and legal contentions. ARS reserves the right to rely on such additional discovery, investigation, legal research and analysis, and to make such additions, changes, and variations to these responses as warranted thereby. These responses are made in a good faith effort to supply as much information and specification as is presently known, but shall not prejudice ARS in relation to further discovery, research or analysis.

2. Each response herein is subject to all objections on any grounds that would require exclusion of all or part of any statement herein as if such request was asked of, or statements contained herein were made by, a witness testifying at trial, all such objections being expressly reserved.

3. ARS' identification of documents and/or providing information herein shall not be construed as an admission of ARS that any such document and/or information is either relevant or admissible for any purpose, including trial, in the above-referenced matter.

4. No incidental or implied admissions are intended by the responses made herein. The fact that ARS has answered or objected to any Request is not an admission that ARS admits the existence of any "facts" set forth or assumed by such request.



**GENERAL OBJECTIONS**

1. ARS objects to all Requests that attempt to require it to provide information and/or documentation not within its possession, custody, or control, or within the possession, custody, or control of any of its representatives, employees, agents, or attorneys.

2. The absence of an objection that a Request is irrelevant is not intended to be a waiver of that objection and ARS reserves the right to object on relevancy grounds at any stage of these proceedings.

3. ARS has responded to these Requests to the extent of its current knowledge and available information. However, ARS' discovery and investigation in preparation for trial of this matter has not been completed as of the date of these responses, and therefore, ARS does not purport to state anything more than the information presently known to or discovered by it. ARS specifically reserves the right to supplement, modify, or amend its responses or to present additional information at a later date.

4. ARS has based its responses upon the assumption that Plaintiff and did not intend to seek information protected against discovery by the attorney-client privilege or the attorney work product doctrine. To the extent any Request or any part thereof is intended to elicit such information, ARS objects thereto and asserts the protection and privileges provided thereby to the fullest extent.

5. ARS objects to the Requests which attempt to require it to identify "all" persons with knowledge and documents on the grounds that such Requests are unduly burdensome, oppressive, and overbroad.



6. ARS objects to these Requests to the extent they utilize the word "identify" in such a manner as to render the Request unduly burdensome, oppressive and overbroad.

7. ARS objects to these Requests on the grounds that they are unduly burdensome and oppressive to the extent that the Requests require ARS to state specific facts, documents conversations, agreements and personal knowledge upon which ARS bases a denial of an abstract, vague, general and incomprehensible assertion by ARS. In many cases, it is difficult, if not impossible, to prove a negative or a nonexistence, particularly when ARS is given no specific facts to refute. Accordingly, ARS reserves its right to introduce any additional information when and if Plaintiff makes specific supported assertions.

8. Referencing and expressly incorporating each of these general objections, ARS hereby responds as follows:

**DEFENDANT, ABILITY RECOVERY SERVICES, LLC'S SECOND SUPPLEMENTAL  
RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST REQUEST FOR  
PRODUCTION OF DOCUMENTS AND OTHER TANGIBLE THINGS**

1. All documents relating to any amount you claim that plaintiff owes or owed you.

**RESPONSE:**

ARS has provided counsel for Plaintiff with its redacted account notes regarding its attempts to recover a debt obligation owed by Crystal Long to co-Defendant, Pendrick Capital Partners II, LLC ("Pendrick").



2. All records of communications between plaintiff and you, including all documents, records of telephonic communications, collection logs, court notices, court filings, log books or other records from November 17, 2016 to the present. This includes but is not limited to any oral communications, statements, demands, notices or other correspondence from any source.

**RESPONSE:**

**Objection.** ARS objects to this Request on the grounds that it is vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it has provided counsel for Plaintiff with its redacted account notes regarding its attempts to recover a debt obligation owed by Crystal Long to co-Defendant, Pendrick.

3. All records of communications between you and any consumer reporting agency regarding plaintiff, including all furnish data, reinvestigation documents, records of telephonic communications, AUD's, CDV [Consumer Dispute Verification] and ACDV [CDV response] and UDF [Universal Data Form], and notices of blocking sent pursuant to 15 U.S.C. § 1681c-2(b), and notices of modification, suppression or deletion sent pursuant to 15 U.S.C. § 1681i(a)(5)(A).

**RESPONSE:**

**ARS has provided counsel for Plaintiff with a copy of the automated credit dispute verifications in its possession regarding the account at issue.**

4. All records of communication between you and Pendrick with any of the Plaintiff's personal identifiers. Please include any and all placement data that resulted in your pursuit of the Plaintiff for the alleged debt.



**RESPONSE:**

ARS has provided counsel for Plaintiff with a copy of the documentation that it received from co-Defendant, Pendrick, upon its placement of the account with ARS for collection.

5. All contracts between you and Pendrick that contain or mention any agency relationship, or that allow Ability to collect any debts on behalf of Pendrick.

**RESPONSE:**

Objection. ARS objects to this Request on the grounds that it is irrelevant, vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it has provided counsel for Plaintiff with a redacted copy of its contract between it and Pendrick during the applicable time period.

6. All documents containing the current names addresses and telephone numbers of persons who communicated with plaintiff, worked on any aspect of the collection account associated with Plaintiff, or communicated with any consumer reporting agency regarding Plaintiff's account. Defendant may produce a list of witnesses with names, addresses and telephone numbers in lieu of the documents requested.

**RESPONSE:**

Objection. ARS objects to this Request on the grounds that it is irrelevant, vague, overbroad and not calculated to lead to the discovery of admissible evidence.

7. All documents which you contend support your right to collect or report any amounts due from the Plaintiff.



**RESPONSE:**

**Objection.** ARS objects to this Request on the grounds that it is irrelevant, vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it has provided counsel for Plaintiff with a copy of the documentation that it received from co-Defendant, Pendrick, upon its placement of the account with ARS for collection and a redacted copy of the contract between ARS and Pendrick.

8. All computerized data relating to Plaintiff, Plaintiff's debt, Placement data for the account associated with the Plaintiff, and collection efforts.

**RESPONSE:**

ARS has provided counsel for Plaintiff with its redacted account notes regarding its attempts to recover a debt obligation owed by Crystal Long to co-Defendant, Pendrick and a copy of the documentation that it received from co-Defendant, Pendrick, upon its placement of the account with ARS for collection.

9. All historical, archived or electronic record of any Metro Tape Data involving the Plaintiff.

**RESPONSE:**

**None.**

10. All records of information received from public record vendors, skip tracers, or consumer reporting agencies relating in any way to Plaintiff.

**RESPONSE:**

ARS has provided counsel for Plaintiff with a copy of the automated credit dispute verification in its possession regarding the account at issue.



11. Documents stating the meaning or definition of any codes, shorthand, terms or abbreviations appearing in any of the requested documents.

**RESPONSE:**

Upon a request from counsel for Plaintiff, counsel for ARS will explain any codes, shorthand, terms or abbreviations utilized in ARS' account notes regarding ARS' attempts to recover the account at issue.

12. All documents relating to the policies and procedures, if any, that are applied to you to any account (or consumer debt) when the debtor disputes an account directly with you.

**RESPONSE:**

Objection. ARS objects to this Request on the grounds that it is irrelevant, over broad, unduly vague and not calculated to lead to the discovery of admissible evidence. ARS further objects to this Request on the grounds that it seeks production of documentation which is, or may be, confidential and/or proprietary in nature, the production of which would place ARS at a competitive disadvantage in its industry.

13. All documents relating to policies and procedures for responding to disputes that you receive from a credit reporting agency regarding any information that you furnished to a credit reporting agency.

**RESPONSE:**

Objection. ARS objects to this Request on the grounds that it is irrelevant, over broad, unduly vague and not calculated to lead to the discovery of admissible evidence. ARS further objects to this Request on the grounds that it seeks production of documentation which is, or may be, confidential and/or proprietary in nature, the production of which would place ARS at a competitive disadvantage in its industry.



14. All documents relating to policies and procedures to investigate the accuracy and validity of the information that you receive from skip tracers.

**RESPONSE:**

**Objection.** ARS objects to this Request on the grounds that it is irrelevant, over broad, unduly vague and not calculated to lead to the discovery of admissible evidence.

15. All other documentary evidence that relates to the Plaintiff's claims against you in this case.

**RESPONSE:**

**Objection.** ARS objects to this Request on the grounds that it is vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it has provided counsel for Plaintiff with its redacted account notes regarding its attempts to recover a debt obligation owed by Crystal Long to co-Defendant, Pendrick.

16. All documents and/or correspondence in defendant's or its attorney's possession that refers to or relates to any fact(s) which may be relevant in this case excluding letters between defendant and its attorney, or attorney work product.

**RESPONSE:**

**Objection.** ARS objects to this Request on the grounds that it is vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it has provided counsel for Plaintiff with its redacted account notes regarding its attempts to recover a debt obligation owed by Crystal Long to co-Defendant, Pendrick.



17. All other documentary evidence that relates to your defenses or affirmative defenses.

**RESPONSE:**

ARS refers Plaintiff to its Answer to Plaintiff's Complaint with Affirmative Defenses which was filed on July 28, 2017 at ECF 17.

18. All exhibits that you intend to or may introduce at trial.

**RESPONSE:**

At the present time ARS has not made any decisions regarding exhibits that it intends or may introduce at the trial of this matter. ARS reserves the right to update its response to this Request, as discovery in this matter is ongoing.

19. All manuals, tests, video tapes, books or other documents pertaining to the training and supervision of defendant's employees or agents as to compliance with the Fair Credit Reporting Act.

**RESPONSE:**

Objection. ARS objects to this Request on the grounds that it is irrelevant, over broad, unduly vague and not calculated to lead to the discovery of admissible evidence. ARS objects to this Request on the grounds that it seeks production of documentation which is, or may be, confidential and/or proprietary in nature, the production of which would place ARS at a competitive disadvantage in its industry. ARS further objects to this Request on the grounds that it seeks the production of documentation which is, or may be, subject to the attorney/client privilege and/or the attorney work product doctrine.



20. All cost/benefit analysis regarding expenditures necessary for compliance with the Fair Credit Reporting Act.

**RESPONSE:**

**Objection.** ARS objects to this Request on the grounds that it is confusing, irrelevant, vague, over broad and not calculated to lead to the discovery of admissible evidence.

21. All documents showing lawsuits, motions or other actions against defendant for violations of the Fair Credit Reporting Act.

**RESPONSE:**

**Objection.** ARS objects to this Request on the grounds that it is irrelevant, overly broad, unduly burdensome, not calculated to lead to the discovery of admissible or relevant evidence and is intended to harass and oppress ARS. See Dewey v. Associates Collectors, Inc., 927 F.Supp. 1172, 1175 (W.D. Wis. 1996); Powell v. Computer Credit, Inc., 975 F. Supp 1034, 1039 (S.D. Ohio 1997)("the Court should consider the debt collector's noncompliance as to the individual plaintiff only, and not to others who may have been subject to the debt collector's noncompliance"); and Anderson v. Frederick J. Hann and Associates, 361 F. Supp. 2d 1379, 1384 (N.D. Ga. 2005)(declining to consider FDCPA violations unrelated to the present action); Cusumano v. NRB, Inc., 1998 U.S. Dist. LEXIS 15418, \*4-\*7, Case No. 96 C 6876 (N.D. Ill. Sept. 22, 1998) (denying motion to compel production of information about other litigation concerning collection practices)(citing to Byes v. Credit Bureau Enters., 1995 U.S. Dist. LEXIS 13559, \*2 Civil Action No. 95-239 SECTION "I" (4) (E.D. La. Sept. 8, 1995)) and Richard v. Oak Tree Group, Inc., 2008 U.S. Dist. LEXIS 95002, \*20, Case No. 1:06-cv-362 (W.D. Mich. Nov. 21, 2008) (finding the reasoning in Dewey persuasive and concluding that the "frequency and persistence of non-compliance" does not include a debt collector's action with respect to non-parties). Additionally, F.R.E. 404 clearly states, "evidence of a person's character or a trait of character is not admissible for the purpose of proving action in conformity therewith on a particular occasion. . ." The fact that ARS may have faced lawsuits in the past or may be involved in other lawsuits presently is clearly character evidence and nothing more and thus, is neither relevant nor admissible and is unduly burdensome in light of the claims asserted. Also, the information sought by Plaintiff in this Request is equally available to Plaintiff in the public domain.



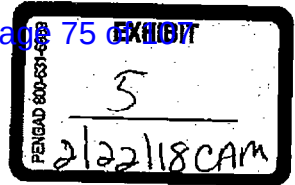
**MARSHAL DENNEHEY WARNER  
COLEMAN & GOGGIN, P.C.**

By: 

RONALD M. METCHO  
2000 Market Street, Suite 2300  
Philadelphia, PA 19103  
(215) 575-2595 / (215) 575-2765 (f)  
rmmetcho@mdwecg.com  
Attorneys for Defendant  
Ability Recovery Services, LLC

Dated: 2.12.18





IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

CRYSTAL LONG,

Plaintiff,

v.

PENDRICK CAPITAL PARTNERS II,  
LLC,

ABILITY RECOVERY SERVICES,  
LLC,

EXPERIAN INFORMATION  
SOLUTIONS, INC.,

AND

EQUIFAX INFORMATION SERVICES,  
LLC,

Defendants.

Civil Action No.

8:17-cv-01955-GJH

**DEFENDANT, ABILITY RECOVERY SERVICES, LLC'S SECOND  
SUPPLEMENTAL ANSWERS AND OBJECTIONS TO PLAINTIFF,  
CRYSTAL LONG'S FIRST INTERROGATORIES**

Defendant, Ability Recovery Services, LLC ("ARS"), by and through its attorneys, Marshall Dennehey Warner, Coleman & Goggin, P.C., hereby submits the following Second Supplemental Answers and Objections to Plaintiff, Crystal Long's First Interrogatories addressed to ARS, stating as follows:

**PRELIMINARY STATEMENT**

As to each and every request contained in Plaintiff's First Interrogatories, ARS states the following:



1. These responses are made pursuant to the Federal Rules of Civil Procedure and are based upon information presently known by ARS. It is anticipated that further discovery, investigation, legal research and analysis will supply additional factual conclusions and legal contentions. ARS reserves the right to rely on such additional discovery, investigation, legal research and analysis, and to make such additions, changes, and variations to these responses as warranted thereby. These responses are made in a good faith effort to supply as much information and specification as is presently known, but shall not prejudice ARS in relation to further discovery, research or analysis.

2. Each response herein is subject to all objections on any grounds that would require exclusion of all or part of any statement herein as if such request was asked of, or statements contained herein were made by, a witness testifying at trial, all such objections being expressly reserved.

3. ARS' identification of documents and/or providing information herein shall not be construed as an admission of ARS that any such document and/or information is either relevant or admissible for any purpose, including trial, in the above-referenced matter.

4. No incidental or implied admissions are intended by the responses made herein. The fact that ARS has answered or objected to any Request is not an admission that ARS admits the existence of any "facts" set forth or assumed by such request.



**GENERAL OBJECTIONS**

1. ARS objects to all Interrogatories that attempt to require it to provide information and/or documentation not within its possession, custody, or control, or within the possession, custody, or control of any of its representatives, employees, agents, or attorneys.

2. The absence of an objection that an Interrogatory is irrelevant is not intended to be a waiver of that objection and ARS reserves the right to object on relevancy grounds at any stage of these proceedings.

3. ARS has responded to these Interrogatories to the extent of its current knowledge and available information. However, ARS' discovery and investigation in preparation for trial of this matter has not been completed as of the date of these responses, and therefore, ARS does not purport to state anything more than the information presently known to or discovered by it. ARS specifically reserves the right to supplement, modify, or amend its responses or to present additional information at a later date.

4. ARS has based its responses upon the assumption that Plaintiff and did not intend to seek information protected against discovery by the attorney-client privilege or the attorney work product doctrine. To the extent any Request or any part thereof is intended to elicit such information, ARS objects thereto and asserts the protection and privileges provided thereby to the fullest extent.

5. ARS objects to the Interrogatories which attempt to require it to identify "all" persons with knowledge and documents on the grounds that such Requests are unduly burdensome, oppressive, and overbroad.



6. ARS objects to these Interrogatories to the extent they utilize the word "identify" in such a manner as to render the Request unduly burdensome, oppressive and overbroad.

7. ARS objects to these Interrogatories on the grounds that they are unduly burdensome and oppressive to the extent that the Interrogatories require ARS to state specific facts, documents conversations, agreements and personal knowledge upon which ARS bases a denial of an abstract, vague, general and incomprehensible assertion by ARS. In many cases, it is difficult, if not impossible, to prove a negative or a nonexistence, particularly when ARS is given no specific facts to refute. Accordingly, ARS reserves its right to introduce any additional information when and if Plaintiff makes specific supported assertions.

8. Referencing and expressly incorporating each of these general objections, ARS hereby responds as follows:

**DEFENDANT, ACCOUNT RESOLUTION SERVICES, LLC'S  
SUPPLEMENTAL ANSWERS AND OBJECTIONS TO PLAINTIFF'S FIRST  
INTERROGATORIES**

1. Identify all persons who are likely to have personal knowledge of any fact alleged in the Complaint, and any defense alleged in your Answer, and state the subject matter of the personal knowledge possessed by each such person – including any of your employees who, in any way, handled or supervised any matters in connection with Plaintiff's disputes to you, your credit reporting or furnishings about Consumer, and any of your communications with Consumer or any credit reporting agency regarding Plaintiff.



**ANSWER:**

**Objection.** ARS objects to this Interrogatory on the grounds that it is vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that Plaintiff, Crystal Long, a representative of Plaintiff's employer from September 2016 through May 2017 with access to the employer's employee handbook and guidelines, Kim Nanfeldt of ARS, Mark Carlson of ARS, a representative of co-Defendant, Pendrick Capital Partners II, LLC ("Pendrick"), a representative of co-Defendant, Experian Information Solutions, Inc. ("Experian") and a representative of co-Defendant, Equifax Information Services, LLC ("Equifax") have personal knowledge of the facts alleged in Plaintiff's Complaint and ARS' defenses.

2. Identify any persons or entities whom you contend are persons needed for just adjudication within the meaning of Fed. R. Civ. P. 19, but who have not been named by Plaintiff.

**ANSWER:**

**Objection.** ARS objects to this Interrogatory on the grounds that it is vague, overbroad and not calculated to lead to the discovery of admissible evidence.

3. If any person covered on an insurance business might be liable to satisfy part of all of a judgment that might be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment, identify that person, state the applicable policy limits of any insurance agreement under which the person might be liable, and describe any question or challenge raised by the person relating to coverage for this action (Standard General Interrogatory No. 5)

**ANSWER:**

ARS does not have any information which is, or may be, responsive to this Interrogatory, as it is effectively self insured against Plaintiff's claims in her Complaint.

4. For each witness you have retained or specially employed to provide expert testimony in this case, or employed by you whose duties regularly involve giving expert testimony and whom you expect to testify at trial, provide a complete statement of the opinions to be expressed and the basis and reasons therefore.



**ANSWER:**

At the present time ARS has not made any decisions regarding expert witnesses that it may utilize in this matter. ARS reserves the right to update its response to this Interrogatory, as discovery in this matter is ongoing.

5. Please state the full name, address, job title, occupation and name and address of the present employer of each person answering or assisting in answering these interrogatories on your behalf.

**ANSWER:**

**Kim Nanfeldt - Collection Manager at ARS.**

6. Itemize and show how you calculate any debt owed by Plaintiff to Pendrick by Ability.

**ANSWER:**

**Objection.** ARS objects to this Interrogatory on the grounds that it is vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it relied on the information provided by co-Defendant, Pendrick, when determining the amount of the debt at issue that it sought to recover from Plaintiff.

7. Identify by name, publisher, publisher's address, vendor and vendor's address, any commercial software which you use to maintain, bill, collect, or report any information relating to your consumer accounts or application information relating to your consumer accounts.

**ANSWER:**

**Comtronic Systems - Debtmaster Professional**



8. Please identify the date, recipient, and content (as recorded by Metro or Metro 2 data) of each occurrence during the preceding five years in which you reported to credit data regarding Plaintiff. If you have reported such data, state whether such reportings were made pursuant to an express or written authorization by you for the relevant consumer reporting agency to report that data.

**ANSWER:**

On December 28, 2016 ARS reported to the credit bureaus "Unknown SSN & D/O/B." On February 24, 2017 and May 24, 2017, after engaging in reasonable investigations, ARS furnished information to the credit bureaus regarding Plaintiff's account being deemed accurate. On June 12, 2017 ARS notified the credit bureaus to delete all tradeline information regarding the account at issue.

9. Identify by name, home address, telephone number, and date of birth, each individual employed by Ability in the preceding 5 years who supervised reinvestigations of credit data reported to any consumer reporting agency for you. Include in your answer a description of the individual's job title and the dates of employment of the individual.

**ANSWER:**

Cassandra Groshek, Collection Representative, from February 15, 2017 to the present;

Shannon Saxon Price, Clerical Employee, from April 26, 2016 to the present; and

Susan Cooper, Clerical Employee, from April 24, 2017 to December 1, 2017.

All three individuals supervised reinvestigations of credit data reported to consumer reporting agencies during the applicable time period.

10. In light of the allegations in the Complaint, please identify each incident where you erroneously verified credit information relating to Plaintiff which should not have been verified.



**ANSWER:**

**Objection.** ARS objects to this Interrogatory on the grounds that it is confusing, vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it does not have any information that is, or may be, responsive to this Interrogatory, as it did not erroneously verify credit information related to Plaintiff which allegedly should not have been verified.

11. In light of the allegations in the Complaint, please identify each action taken by you in verifying the credit information relating to Plaintiff upon notification of each dispute from either the consumer directly, or from a credit reporting agency.

**ANSWER:**

**Objection.** ARS objects to this Interrogatory on the grounds that it is confusing, vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it investigated disputes received by Plaintiff by reviewing Plaintiff's disputes, the documentation in its possession, the documents in Pendrick's possession and conversations with Pendrick to determine that the information that was being furnished to the credit bureaus was accurate.

12. Please explain and describe Ability's actions to assess or identify the risks and potential for harm to consumers arising from inaccurate credit reporting by Ability.

**ANSWER:**

**Objection.** ARS objects to this Interrogatory on the grounds that it is confusing, vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it does not have any information in its possession which is, or may be, responsive to this Interrogatory.



13. Describe every step taken by you to investigate Consumer's dispute of your account and consumer credit data which was reported to the national consumer reporting agencies—including the identity, home address, telephone number, social security number and date of birth of witnesses interviewed and persons conducting the investigation; documents requested and reviewed, communications with the national consumer reporting agencies, description of any computer systems queried or other investigative means employed. Please include reference to the matter in which the data in this case was investigated, Ability's understanding as to how it continued to be placed in Consumer's credit files and reports and whether Ability took any steps to have that information removed or altered so as to prevent said data from being incorrectly attributed to Consumer.

**ANSWER:**

**Objection.** ARS objects to this Interrogatory on the grounds that it is confusing, vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it investigated disputes received by Plaintiff by reviewing Plaintiff's disputes, the documentation in its possession, the documents in Pendrick's possession and conversations with Pendrick to determine that the information that was being furnished to the credit bureaus was accurate.

14. Identify the date, time, matter, purpose and individuals responsible for each incident in which Ability obtained access to Long's consumer credit or any consumer report at any time during the preceding 3 years.

**ANSWER:**

**Objection.** ARS objects to this Interrogatory on the grounds that it is confusing, vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it does not possess any information that is, or may be, responsive to this Interrogatory, as it did not access Plaintiff's credit reports at any time during the preceding three years.



15. Identify the true creditor of any account which Ability reported in association with Consumer's personal identifiers—including but not limited to the holder of the account or securitization trust which owned the credit obligation—and the nature of any relationship between Ability and that creditor.

**ANSWER:**

**Objection.** ARS objects to this Interrogatory on the grounds that it is confusing, vague, overbroad and not calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, ARS responds that it attempted to recover a valid and delinquent debt owed by Crystal Long to co-Defendant, Pendrick.

16. Identify by description, author, date of creation any documents which have been requested by the Plaintiff, but which have been withheld on the basis of trade secret, confidentiality or privilege.

**ANSWER:**

ARS' applicable policies and procedures regarding disputes, any policies or procedures received from the credit bureaus and skip tracing, to the extent that such documents exist and ARS' training and supervisory materials.

17. Identify—including Case number, venue, parties, amount of any settlement or judgment paid by Ability—every lawsuit in which you were alleged to have improperly reported or reinvestigated credit reporting data relating to a consumer report.

**ANSWER:**

**Objection.** ARS objects to this Interrogatory in that it is irrelevant, overly broad, unduly burdensome, not calculated to lead to the discovery of admissible or relevant evidence and is intended to harass and oppress ARS. See Dewey v. Associates Collectors, Inc., 927 F.Supp. 1172, 1175 (W.D. Wis. 1996); Powell v. Computer Credit, Inc., 975 F. Supp 1034, 1039 (S.D. Ohio 1997)("the Court should consider the debt collector's noncompliance as to the individual plaintiff only, and not to others who may have been subject to the debt collector's noncompliance"); and Anderson v. Frederick J. Hann and Associates, 361 F. Supp. 2d 1379, 1384 (N.D. Ga. 2005)(declining to consider FDCPA violations unrelated to the present action); Cusumano v. NRB, Inc., 1998 U.S. Dist. LEXIS 15418, \*4-\*7, Case No. 96 C 6876 (N.D. Ill. Sept. 22, 1998) (denying motion to compel production of information about other



litigation concerning collection practices)(citing to Byes v. Credit Bureau Enters., 1995 U.S. Dist. LEXIS 13559, \*2 Civil Action No. 95-239 SECTION "I" (4) (E.D. La. Sept. 8, 1995)) and Richard v. Oak Tree Group, Inc., 2008 U.S. Dist. LEXIS 95002, \*20, Case No. 1:06-cv-362 (W.D. Mich. Nov. 21, 2008) (finding the reasoning in Dewey persuasive and concluding that the "frequency and persistence of non-compliance" does not include a debt collector's action with respect to non-parties). Additionally, F.R.E. 404 clearly states, "evidence of a person's character or a trait of character is not admissible for the purpose of proving action in conformity therewith on a particular occasion. . ." The fact that ARS may have faced lawsuits in the past or may be involved in other lawsuits presently is clearly character evidence and nothing more and thus, is neither relevant nor admissible and is unduly burdensome in light of the claims asserted. Also, the information sought by Plaintiff in this Interrogatory is equally available to Plaintiff in the public domain.

18. Please state, explain and describe the contents of each and every CDV [Consumer Dispute Verification] and ACDV [CDV response] and UDF [Universal Data Form] you received, sent or possessed, at any time, which bore any of plaintiff's personal identifiers.

**ANSWER:**

On December 28, 2016 ARS reported to the credit bureaus "Unknown SSN & D/O/B." On February 24, 2017 and May 24, 2017, after engaging in reasonable investigations, ARS furnished information to the credit bureaus regarding the account at issue being deemed accurate. On June 12, 2017 ARS directed the credit bureaus to delete all tradeline information regarding the account at issue.

19. Please state, explain and describe all of the information or data that you received from Pendrick that resulted in you attempting to collect money from the Plaintiff.

**ANSWER:**

Counsel for ARS has provided counsel for Plaintiff with the placement file that it received from Pendrick regarding Plaintiff's account.

20. For each paragraph of plaintiff's Complaint (as amended) for which you deny the allegations, please explain and describe any facts which you believe may support each denial.

---



**ANSWER:**

ARS refers Plaintiff to its Answer to Plaintiff's Complaint, which was filed on July 28, 2017 at ECF 17.

21. Please state the dates and exact contents of each reporting, which bore any of plaintiff's personal identifiers, you made to any consumer reporting agency(ies) (as defined by 15 U.S.C. 1681a) to which you subscribe(ed).

**ANSWER:**

---

On December 28, 2016 ARS notified the credit bureaus "Unknown SSN & D/O/B." On February 24, 2017 and May 24, 2017, after engaging in reasonable investigations, ARS furnished information to the credit bureaus regarding Plaintiff's account being deemed accurate. On June 12, 2017 ARS notified the credit bureaus to delete all tradeline information regarding the account at issue.

22. Please explain and describe your specific allocation, in percentages and/or dollar amounts, of your resources committed to reinvestigation of consumer disputes complaining that your credit account(s) were created by or otherwise resulted from application fraud in the past 5 years.

**ANSWER:**

Objection. ARS objects to this interrogatory on the grounds that it is confusing, irrelevant, unintelligible, vague, overbroad and not calculated to lead to the discovery of admissible evidence.

23. Please state your net income for each of the preceding eight (8) quarters.

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ANSWER:

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Objection. ARS objects to this interrogatory on the grounds that it is irrelevant, vague, overbroad and not calculated to lead to the discovery of admissible evidence. By way of further response, the information sought in this Interrogatory is irrelevant, as this matter was not filed as a class action lawsuit.

MARSHAL DENNETHEY WARNER  
COLEMAN & GOGGIN, P.C.

By:

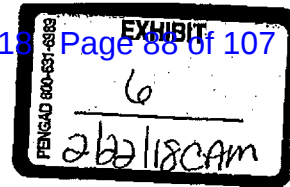
RONALD M. METCHO  
2000 Market Street, Suite 2300  
Philadelphia, PA 19103  
(215) 575-2595 / (215) 575-2765 (f)  
rmmetcho@mdwecg.com  
Attorneys for Defendant  
Ability Recovery Services, LLC

Dated: 2.12.18

---



## FACT SHEET



CRS #: DF6612  
 Name: LONG, CRYSTAL  
 Address: 5126 SEKOTS RD  
 City/State: BALTIMORE, MD 21207  
 Home Phone: (443) 627-3774  
 Work Phone: (000) 000-0000  
 Soc Sec No: 000-00-0000  
 Employer:

Client #: MCTWNP-13  
 EMCARE-RANDALL EMERGENCY P  
 Acct #: 09364750542381960346  
 Regarding:  
 Amt Referred: 1125.00  
 Current Bal: 1125.00  
 Comm Rate: 37.000000%  
 Costs: 0.00  
 Ck Chg/Fee: 0.00

Status: 81 CC REVIEW  
 Coll Unit: HA1 HARVARD  
 Date Last: 08/26/14  
 Activity Code: NU NOT USED  
 Field1: 000-00-0000  
 Field2: 000-00-0000  
 Field3: 000-00-0000

Date Received: 04/01/16

Mobile Phone: (000) 000-0000  
 Email Address:  
 --- Comaker Info ---

Email Optin: No

Type: G - EMPLOYER  
 Name: DEPT OF CORRECTIONS  
 Address:

Master #: DF6612-2

City, St: 00  
 Phone (H) (000) 000-0000 (W) (000) 000-0000  
 Comment:

Status: 10 ACTIVE DEBTOR  
 Employer:  
 SS#: 000-00-0000  
 Birthday: 00/00/00

Mobile Phone: (000) 000-0000  
 Email Address:

Email Optin: No

.....

PAYMENTS				TRANSACTIONS				
Date	Amount	Code	Rate	DATE	TIME	AC/RC	COMMENT	ID
04/01/16	0.00	97		11/28/16	19:00	CC/CC	SKIP-1	RAM
				06/12/17	12:21	CC/CC	SKIP-2	RAM
				06/15/17	15:56	CC/CC	VIEW ONLY	AAI
				06/15/17	15:57	CS/10		AAI
				06/15/17	15:58	CC/CC		AAI
				PER SUIT AT ABILITY AND PCPT				
				06/15/17	16:07	CC/CC		AAI
				NOTIFIED HARVARD TO CLOSE				
				06/15/17	16:28	CC/CC	VIEW ONLY	AAI
				06/15/17	16:29	CC/CC	VIEW ONLY	AAI
				06/15/17	16:31	CC/CC	VIEW ONLY	AAI
				06/15/17	16:46	CC/CC	VIEW ONLY	MTC
				06/15/17	16:59	CC/CC	VIEW ONLY	MTC
				06/16/17	16:44	CC/CC	VIEW ONLY	AAI
				07/14/17	14:10	CC/CC	VIEW ONLY	AAI
				07/18/17	16:54	CC/CC	VIEW ONLY	AAI
				07/18/17	16:56	CC/CC	VIEW ONLY	AAI
				07/19/17	10:37	CC/CC	VIEW ONLY	AAI



DE6612 LONG, CRYSTAL

Page 2

-----PAYMENTS-----				-----TRANSACTIONS-----				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	----COMMENT-----	ID
				07/19/17	10:39	CC/CC	VIEW ONLY	AAL
				07/19/17	11:04	CC/CC	VIEW ONLY	AAL
				07/19/17	11:20	CC/CC	VIEW ONLY	AAL
				07/20/17	15:39	CC/CC	VIEW ONLY	AAL

Date Printed: Jul 20, 2017









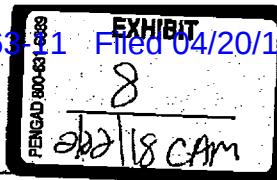










**Ability Recovery  
Services LLC**P.O. Box 4262  
Scranton, PA 18505  
Tel: 855.207.1892CRYSTAL LONG  
12706 FAIRWOOD PKWY  
BOWIE MD 20720-6304Account #: 4022446  
Balance Due: \$74.00  
Former Creditor: EMCARE-RANDALL EMERGENCY PHYS.  
Creditor: Pendrick Capital Partners II  
Client Ref#: 09364750542381955437

November 14, 2016

Dear CRYSTAL LONG,

Our office has been retained by Pendrick Capital Partners II who has purchased your account from EMCARE-RANDALL EMERGENCY PHYS. to collect the above overdue account. This is an opportunity for you to resolve this debt. If this matter has been overlooked, please be aware that it is still legally owed. Payment via check by phone, certified funds, funds transfer or credit card in full will cease all collection activity.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice, this office will provide you the name and address of the original creditor, if different from the current creditor. If you notify this office in writing within the thirty-day period that the debt, or any portion thereof, is disputed, this office will obtain verification of the debt or a copy of a judgment against you and a copy of such verification or judgment will be mailed to you by this office.

At this time we are offering a 25% discount on the amount you owe. If we receive the discounted amount within 30 days, you will have no further obligation to us regarding the delinquent account.

WATCH—

Your Balance	Discount Percent	Discounted Amount Due
\$74.00	25%	\$55.50

In order to ensure proper crediting and handling of your account, payment must be made payable to Ability Recovery Services, LLC and remitted to this office.

Be further advised that our client has instructed this office to make a direct report to a credit reporting agency should this debt go unresolved.

Sincerely,

ADAM RUSSELL  
Account Representative  
(855) 207-1892x502

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

\*\*\* Detach Lower Portion And Return With Payment \*\*\*

Y1C78791E9

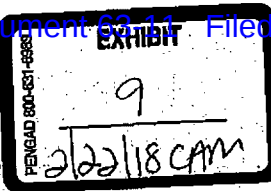
PO BOX 505  
LINDEN MI 48451-0505  
RETURN SERVICE REQUESTED

November 14, 2016

IF YOU WANT TO PAY BY CREDIT CARD, CIRCLE ONE AND FILL IN THE INFORMATION BELOW.			
CARD NUMBER		EXP. DATE	
CARD HOLDER NAME		CVV	
SIGNATURE		AMOUNT PAID	

Pay online at [www.abilityrecovery.com](http://www.abilityrecovery.com)Reference #: 09364750542381955437  
Balance Due: \$74.00CRYSTAL LONG  
12706 FAIRWOOD PKWY  
BOWIE MD 20720-6304ABILITY RECOVERY SERVICES LLC  
PO BOX 4262  
SCRANTON PA 18505-6262



**Ability Recovery  
Services LLC**P.O. Box 4262  
Scranton, PA 18505  
Tel: 855.207.1892CRYSTAL LONG  
12706 FAIRWOOD PKWY  
BOWIE MD 20720-6304

Account #:	4022448	November 14, 2016
Balance Due:	\$1,125.00	
Former Creditor:	EMCARE-RANDALL EMERGENCY PHYS.	
Creditor:	Pendrick Capital Partners II	
Client Ref#:	09364750542381960346	

Dear CRYSTAL LONG,

Our office has been retained by Pendrick Capital Partners II who has purchased your account from EMCARE-RANDALL EMERGENCY PHYS. to collect the above overdue account. This is an opportunity for you to resolve this debt. If this matter has been overlooked, please be aware that it is still legally owed. Payment via check by phone, certified funds, funds transfer or credit card in full will cease all collection activity.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice, this office will provide you the name and address of the original creditor, if different from the current creditor. If you notify this office in writing within the thirty-day period that the debt, or any portion thereof, is disputed, this office will obtain verification of the debt or a copy of a judgment against you and a copy of such verification or judgment will be mailed to you by this office.

At this time we are offering a 25% discount on the amount you owe. If we receive the discounted amount within 30 days, you will have no further obligation to us regarding the delinquent account.

**WATCH—**

Your Balance	Discount Percent	Discounted Amount Due
\$1,125.00	25%	\$843.75

In order to ensure proper crediting and handling of your account, payment must be made payable to Ability Recovery Services, LLC and remitted to this office.

Be further advised that our client has instructed this office to make a direct report to a credit reporting agency should this debt go unresolved.

Sincerely,

ADAM RUSSELL  
Account Representative  
(855) 207-1892x502

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

**\*\*\* Detach Lower Portion And Return With Payment \*\*\***

Y1C7070417



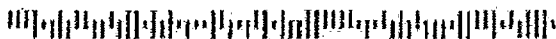
PO BOX 505  
LINDEN MI 48451-0505  
RETURN SERVICE REQUESTED

IF YOU WISH TO PAY BY CREDIT CARD, CIRCLE ONE AND FILL IN THE INFORMATION BELOW.			
CARD NUMBER		EXP. DATE	
CARD HOLDER NAME		CVV	
SIGNATURE		AMOUNT PAID	

November 14, 2016

Pay online at [www.abilityrecovery-services.com](http://www.abilityrecovery-services.com)

Reference #: 09364750542381960346  
Balance Due: \$1,125.00



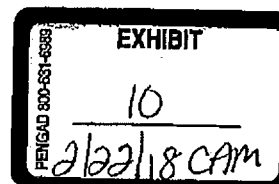
00200206/24000912052126720630105-Y1C7070417 400  
CRYSTAL LONG  
12706 FAIRWOOD PKWY  
BOWIE MD 20720-6304



ABILITY RECOVERY SERVICES LLC  
PO BOX 4262  
SCRANTON PA 18505-6262



Name: 1550 Peachtree St Atlanta, GA 30309 FAX #: Account Number: 48N1 Subscriber Code: ABILITY RECOVERY SERVICES, LLC496YC05897					Date Received: 02-10-2017 Control #: 8035 FCRA Response Due Date: 03-01-2017 Response Date: 02-21-2017 Response Code: 01: Account information accurate as of date reported						
On the lines below, S indicates the Response element is the Same as in the Request; D indicates it is Different, and U indicates it is Unknown.											
First Name: CRYSTAL					S	First Name: CRYSTAL					
Middle Name: M					U	Middle Name:					
Last Name: LONG					S	Last Name: LONG					
Generation Code:					U	Generation Code:					
Address: 12706 FAIRWOOD PKWY, BOWIE, MD, 20720					S	Address:					
Prev First Name: CRYSTAL					U	Prev First Name:					
Prev Middle Name:					U	Prev Middle Name:					
Prev Last Name: LONG					U	Prev Last Name:					
Prev Generation Code:						Prev Generation Code:					
Prev Address: 8725 CONTINENTAL RD APT 403, LAUREL, MD, 20708					U	Prev Address:					
SSN: 9930					U	SSN:					
DOB: 1980					U	DOB:					
Telephone Number: (202) 461-3613					U	Telephone Number:					
2nd Prev Address: 10419 GLEN SPRING LN, BOWIE, MD, 20720						2nd Prev Address:					
Consumer States/Comments:											
Dispute Code 1: 001: Not his/hers. Provide or confirm complete ID.											
Dispute Code 2:											
FCRA Relevant Information:											
Account Status	Pay. Rate	MOP	Cond/Comm. Status			Date Opened	Balance	Amount Past Due	High Cr/Org.	Credit Limit	Original Charge-Off Amount
93		CD				11-07-2016	\$1125		\$1125		
Account Type	Interest Type	Post. Type	Term Dur.	Freq.	Date of Account Information	Date Closed	Date of Last Payment	Sch. Payment	FCOA	CHI	FCRA DOPD
48					12-20-2016				1		09-25-2014
Compliance Condition Code	SCC	Original Cr. Name					Original Cr. Class	Spec. Payment Ind.	Deferred Start Date	Balloon Date	Balloon Amount
XII		EMCARE RANDALL EMERGENCY PHYS					02				
Agency ID	Sec. Marketing Agency Account #			Mortgage ID		Actual Payment		Portfolio Indicator		Purchased from/Sold to	
Remarks:										DF Control #:	



LONG - 0001



Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2016												
2015												
2014												
2013												
2012												
2011												
2010												
Account History - Response												
Month	Dec	Nov	Oct	Sep	Aug	Jul	Jun	May	Apr	Mar	Feb	Jan
2017												
2016												
2015												
2014												
2013												
2012												
2011												
2010												

Associated Consumer 1				Associated Consumer 2			
Name:				Name:			
Address:				Address:			
SSN:		DOB:		SSN:		DOB:	
Telephone Number:				Telephone Number:			
BCOA/Consumer Information Indicator: /				BCOA/Consumer Information Indicator: /			
Associated Images:				Image Access Indicators: #1 Y/N #2 Y/N #3 Y/N #4 Y/N #5 Y/N			

Submitted By: CASSANDRA GROSHIK

Tel#: (855) 207-1892

Date: 02-24-2017

By submitting this ACDV, you certify that you have reviewed and considered all associated images, you have verified the accuracy of the data in compliance with all legal requirements, and your computer and/or manual records will be adjusted to reflect any changes noted.



Crystal/John LLC 2 Baldwin Place/Crum Lynette, PA 19022		Date Received: 02-08-2017 Control #: 1001	
FAX #:		FCRA Response Due Date: 03-02-2017	
Account Number: 48N1		Response Date: 02-24-2017	
Subscriber Code: ABILITY RECOVERY SERVICES, LLC/2DPY001		Response Code: 01: Account Information accurate as of date reported	
On the lines below, S indicates the Response element is the Same as in the Request; D indicates it is Different, and U indicates it is Unknown.			
First Name: CRYSTAL		S	First Name: CRYSTAL
Middle Name: M		U	Middle Name:
Last Name: LONG		S	Last Name: LONG
Generation Code:			Generation Code:
Address: 12706 FAIRWOOD PKWY, BOWIE, MD, 20720-0304		S	Address:
Prev First Name: CRYSTAL		S	Prev First Name:
Prev Middle Name:			Prev Middle Name:
Prev Last Name: LONG		S	Prev Last Name:
Prev Generation Code:			Prev Generation Code:
Prev Address: 7931 ECHOLS AVE, OLBNARDEN, MD, 20706-1707		U	Prev Address:
SSN: 9920		U	SSN:
DOB: 1980		U	DOB:
Telephone Number: (240)-464-8476		U	Telephone Number:
2nd Prev Address: 8725 CONTESS RD APT 403, LAUREL, MD, 20708-1901			
Consumer Status/Comments:			
Dispute Code 1:		001: Not his/hers. Provide or confirm complete ID.	
Dispute Code 2:			
FCRA Relevant Information:			
Account Status	Pay. Rate	MOP	Cond/Contra. Status
93			
Date Opened	Balance	Amount Paid Due	High Cr./Org.
11-07-2016	\$1125	\$1125	\$1125
Account Type	Interest Type	Port. Type	Term Dur.
48		O	
Date of Account Information	Date Closed	Date of Last Payment	Sch. Payment
12-28-2016			
Compliance Condition Code	SEC	Original Cr. Name	Original Cr. Class
XB		BMCARE RANDALL EMERGENCY PHYS	02
Agency ID	Sec. Marketing Agency Account #	Mortgage ID	Actual Payment
Remarks:			DF Control #:



Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2017												
2016												
2015												
2014												
2013												
2012												
2011												
2010												

Account History - Response	Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2017													
2016													
2015													
2014													
2013													
2012													
2011													
2010													

Associated Consumer 1				Associated Consumer 2			
Name:				Name:			
Address:				Address:			
SSN:		DOB:		SSN:		DOB:	
Telephone Number:				Telephone Number:			
ECOA/Consumer Information Indicator: /				ECOA/Consumer Information Indicator: /			
Image Access Indicators: /#1 Yes				Image Access Indicators: /#2 Yes			
Associated Images: Yes				Associated Images: Yes			

Submitted By: SHANNON SAXON-PRICE

Toll: (855) 207-1892

Date: 02-24-2017

By submitting this ACDV, you certify that you have reviewed and considered all associated images, you have verified the accuracy of the data in compliance with all legal requirements, and your computer and/or manual records will be adjusted to reflect any changes noted.



Equifax 1350 Peachtree St Atlanta, GA 30309		Date Received: 05-22-2017 Control #: 0035	
FAX #:		FCRA Response Due Date: 06-08-2017	
Account Number: 18N1		Response Date: 05-24-2017	
Subscriber Code: ADULTY RECOVERY SERVICES, LLC/95YC05897		Response Code: 01: Account information accurate as of date reported	
On the lines below, S indicates the Response element is the Same as in the Request; D indicates it is Different, and U indicates it is Unknown.			
Request Data		Response Data	
First Name: CRYSTAL	S	First Name: CRYSTAL	
Middle Name: M	U	Middle Name:	
Last Name: LONG	S	Last Name: LONG	
Generation Code:	U	Generation Code:	
Address: 12706 FAIRWOOD PKWY, BOWIE, MD, 20720	S	Address: 12706 FAIRWOOD PKWY, BOWIE, MD, 20720	
Prev First Name: CRYSTAL	U	Prev First Name:	
Prev Middle Name:	U	Prev Middle Name:	
Prev Last Name: LONG	U	Prev Last Name:	
Prev Generation Code:		Prev Generation Code:	
Prev Address: 5725 CONTEH RD APT 403, LAUREL, MD, 20708	U	Prev Address:	
SSN: 9930	U	SSN:	
DOB: 1980	U	DOB:	
Telephone Number: (301) 464-3813	D	Telephone Number: (301) 420-0814	
2nd Prev. Address: 10119 OLIN SPRING LN, BOWIE, MD, 20720			
Consumer Status/Comments:			
Dispute Code 1:	001: Not listers. Provide or confirm complete ID.		
Dispute Code 2:			
FCRA Relevant Information:			
Account Status	Pay. Rate	MOP	Cond/Comm. Status
03		CH	
Date Opened	Balance	Amount Paid Due	High Cr/Org.
11-07-2016	\$1125		\$1125
Account Type	Interest Type	Port. Type	Term Dur.
48			
Date of Account Information	Date Closed	Date of Last Payment	Sch. Payment
02-24-2017			
Compliance Condition Code	SCC	Original Cr. Name	Original Cr. Class
XD		BMCARE RANDALL EMERGENCY PHYS	02
Agency ID	Sec. Marketing Agency Account #	Mortgage ID	Actual Payment
Remarks:			Portfolio Indicator
			Purchased from/Sold to
			DF Contact #:



Month	Dec	Nov	Oct	Sept	Aug	July	June	May	April	March	Feb	Jan
2017												
2016												
2015												
2014												
2013												
2012												
2011												
2010												

Account History - Response	Dec	Nov	Oct	Sept	Aug	July	June	May	April	March	Feb	Jan
2017												
2016												
2015												
2014												
2013												
2012												
2011												
2010												

<b>Associated Consumer 1</b>				<b>Associated Consumer 2</b>			
Name:				Name:			
Address:				Address:			
SSN:		DOB:		SSN:		DOB:	
Telephone Number:				Telephone Number:			
ECOA/Consumer Information Indicator: /				ECOA/Consumer Information Indicator: /			
<b>Images/Information</b>				<b>Image Access Indicator</b>			
Associated Images:		Yes		#1		#2	
				#3		#4	
				#5			

Submitted By: Sue Cooper

Tel#: (570) 207-1892

Date: 05-24-2017

By submitting this ACDV, you certify that you have reviewed and considered all associated images, you have verified the accuracy of the data in compliance with all legal requirements, and your computer and/or manual records will be adjusted to reflect any changes noted.



Exemption		Date Received: 05-24-2017	
601 Espinoza Pkwy/Allen, TX 75013		Control #: 0001	
FAX #:		ECRA Response Due Date: 06-02-2017	
Account Number: 48N1		Response Date: 05-24-2017	
Subscriber Code: ABILITY RECOVERY SERVICES, LLC/1934712		Response Code: 01:Account Information accurate as of date reported	
On the lines below, S indicates the Response element is the Same as in the Request; D indicates it is Different, and U indicates it is Unknown.			
First Name:	CRYSTAL	S	First Name: CRYSTAL
Middle Name:			Middle Name:
Last Name:	LONG	S	Last Name: LONG
Generation Code:			Generation Code:
Address:	12706 FAIRWOOD PKWY, BOWIE, MD, 20720	S	Address: 12706 FAIRWOOD PKWY, BOWIE, MD, 20720
Prev First Name:			Prev First Name:
Prev Middle Name:			Prev Middle Name:
Prev Last Name:			Prev Last Name:
Prev Generation Code:			Prev Generation Code:
Prev Address:			Prev Address:
SSN:	9930	U	SSN:
DOR:	1980	U	DOR:
Telephone Number:		D	Telephone Number: (301) 420-0814
2nd Prev. Address:			
Consumer States/Comments:			
Dispute Code 1:	001:Not higher. Provide or confirm complete ID.		
Dispute Code 2:			
ECRA Relevant Information:		XXXXXXXXXX	
Account Status	Pay. Rate	MOP	Cond/Cumm. Status
93			/ COLL ACCT
Date Opened	Balance	Amount Past Due	High Cr/Org.
11-07-2016	\$1125	\$1125	\$1125
Account Type	Interest Type	Port. Type	Term Dur.
48			001
Date of Account Information	Date Closed	Date of Last Payment	Sch. Payment
12-28-2016			1
Compliance Condition Code	SCC	Original Cr. Name	Original Cr. Class
XB		BMCARE-RANDALL EMERGENCY PHYS.	02
Agency ID	Sec. Marketing Agency Account #	Mortgage ID	Actual Payment
Remarks:			Portfolio Indicator
			Purchased from/Sold to
			DT Contact #:



Month	Dec	Nov	Oct	Sep	Aug	July	June	May	April	March	Feb	Jan
2017												
2016												
2015												
2014												
2013												
2012												
2011												
2010												
Account History - Transactions												
Month	Dec	Nov	Oct	Sep	Aug	July	June	May	April	March	Feb	Jan
2017												
2016												
2015												
2014												
2013												
2012												
2011												
2010												

Associated Consumer 1				Associated Consumer 2			
Name:				Name:			
Address:				Address:			
SSN:		DOB:		SSN:		DOB:	
Telephone Number:				Telephone Number:			
ECON/Consumer Information Indicator: /				ECON/Consumer Information Indicator: /			
Images Information							
Associated Images:		Yes		Image Access Indicators:		#1 Yes #2 #3 #4 #5	

Submitted By: Sue Cooper

Tel: (570) 207-1892

Date: 05-24-2017

By submitting this ACDV, you certify that you have reviewed and considered all associated images, you have verified the accuracy of the data in compliance with all legal requirements, and your computer and/or manual records will be adjusted to reflect any changes noted.



CRYSTAL M. LONG

December 17, 2016  
Complaint Department  
Equifax Information Services LLC  
P.O. Box 740256  
Atlanta, GA 30348

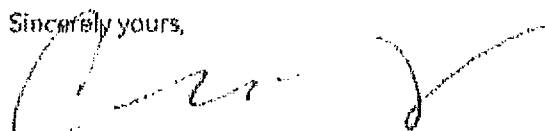
Dear Sir or Madam:

I am writing to dispute the following information in my file. I am disputing the error on my credit report relating to a collections from Ability Recovery Services LLC for EMCARE-RANDALL EMERGENCY PHYS in the amount of \$1,125 that does not belong to me. I received a letter dated November 14, 2016 from Ability Recovery Services indicating that they had received this debt and that unless I notified their office within 30 days after receiving this notice to dispute the validity of this debt or any portion thereof their office would assume this debt be valid.

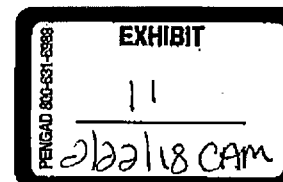
I then called the number on the letter and spoke to one of their representatives (within the 30 days that the letter was written) to notify them that their records were incorrect and this bill did not belong to me. The representative then stated the date of birth for the parties receiving service which did not agree to mine. Then the date of service. I then indicated that I have never received service at any time in life from EMCARE-RANDALL EMERGENCY PHYS. With the this new information, they said that they were going to make note on their file stating that Crystal Long, at 12706 Fairwood Parkway, Bowie Md, 20720, was not the correct person and this would not be reported to my credit report. I am gathering by the fact that I am now writing this letter this did not happen.

So I am requesting that you investigate this error and delete this collections account promptly from my credit report. I have enclosed is the original letter I received dated November 14, 2016.

Sincerely yours,

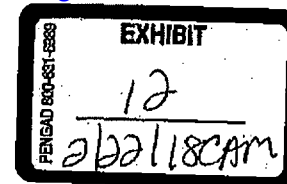
  
Crystal M. Long

12706 Fairwood Parkway, Bowie MD 20720





Crystal Long  
12706 Fairwood Pkwy  
Bowie, MD 20720



January 31, 2017

Experian  
P.O. Box 4000  
701 Experian Parkway  
Allen, Texas 75013

**DISPUTE OF INACCURATE INFORMATION AND REQUEST FOR A REINVESTIGATION**

**FULL NAME:** Crystal Long

**CURRENT ADDRESS:** 12706 Fairwood Pkwy

**DATE OF BIRTH:** March 13, 1980

**TELEPHONE NUMBER:** 301-464-3643

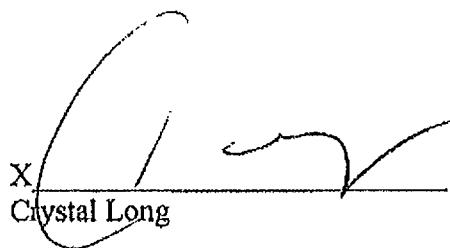
**SOCIAL SECURITY NUMBER:** 217-94-9930

**SPOUSE'S NAME:** Not Married

**DISPUTE:** Creditor: Ability Recovery Services LLC

Inaccurate Information: The balance of \$1,125 is not mine, that whole trade line is reporting in error. I spoke with Ability Recovery Services, and told them I did not recognize the account. They said that Pendrick Capital Partners sent it for collections, for services rendered September 2014. I was never there. The date of birth was not my date of birth. This whole trade line needs to be deleted.

PLEASE CORRECT THE INFORMATION AS SOON AS POSSIBLE

X   
Crystal Long

Date: 1/31/17



Confidential

Crystal Long  
12706 Fairwood Pkwy  
Bowie, MD 20720

January 31, 2017

Equifax  
P.O. Box 740256  
Atlanta, GA 30374

**DISPUTE OF INACCURATE INFORMATION AND REQUEST FOR A REINVESTIGATION**

**FULL NAME:** Crystal Long

**CURRENT ADDRESS:** 12706 Fairwood Pkwy

**DATE OF BIRTH:** March 13, 1980

**TELEPHONE NUMBER:** 301-464-3643

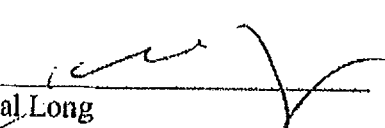
**SOCIAL SECURITY NUMBER:** 217-94-9930

**SPOUSE'S NAME:** Not Married

**DISPUTE:** Creditor: Ability Recovery Services LLC

Inaccurate Information: The balance of \$1,125 is not mine, that whole trade line is reporting in error. I spoke with Ability Recovery Services, and told them I did not recognize the account. Thy said that Pendrick Capital Partners sent it for collections, for services rendered September 2014. I was never there. The date of birth was not my date of birth. This whole trade line needs to be deleted.

PLEASE CORRECT THE INFORMATION AS SOON AS POSSIBLE

X   
Crystal Long

Date: 1/31/17



Confidential

Crystal Long  
12706 Fairwood Pkwy  
Bowie, MD 20720

January 31, 2017

TransUnion Consumer Solutions  
P.O. Box 2000  
Chester, PA 19022-2000

**DISPUTE OF INACCURATE INFORMATION AND REQUEST FOR A REINVESTIGATION**

**FULL NAME:** Crystal Long

**CURRENT ADDRESS:** 12706 Fairwood Pkwy

**DATE OF BIRTH:** March 13, 1980

**TELEPHONE NUMBER:** 301-464-3643


**SOCIAL SECURITY NUMBER:** 217-94-9930

**SPOUSE'S NAME:** Not Married

**DISPUTE:** Creditor: Ability Recovery Services LLC

Inaccurate Information: The balance of \$1,125 is not mine, that whole trade line is reporting in error. I spoke with Ability Recovery Services, and told them I did not recognize the account. Thy said that Pendrick Capital Partners sent it for collections, for services rendered September 2014. I was never there. The date of birth was not my date of birth. This whole trade line needs to be deleted.

PLEASE CORRECT THE INFORMATION AS SOON AS POSSIBLE

X.   
Crystal Long

Date: 1/31/17